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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ERIC STEPHEN FREEZE,

11 Plaintiff,

12 v.

13 DON MCDERMOTT, et al.,

14 Defendants.

CASE NO. C22-1844JLR

ORDER

15 Before the court is *pro se* Plaintiff Eric Stephen Freeze’s amended motion to void
16 the judgment. (Mot. (Dkt. # 35).) Because final judgment has not yet been entered in
17 this case, the court construes Mr. Freeze’s amended motion to void the judgment as a
18 motion for reconsideration of the court’s June 14, 2023 order, in which the court
19 (1) construed Mr. Freeze’s original motion to void the judgment as a motion for
20 reconsideration of the court’s May 23, 2023 order dismissing Mr. Freeze’s claims against
21 Defendants Donald McDermott, Lisa Janicki, and Skagit County (together, the “Skagit
22 Defendants”) and Defendants the Ann G. Freeze Revocable Trust, the Ronald L. Freeze

1 Revocable Trust, Elizabeth Gallagher, and Paul Taylor’s (collectively, the “Trust
2 Defendants”) and (2) denied the motion. (*See* 6/14/23 Order (Dkt. # 34); 1st Mot. (Dkt.
3 # 31); 5/23/23 Order (Dkt. # 27) (dismissing Mr. Freeze’s claims against the Skagit
4 Defendants and the Trust Defendants)); *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (“A
5 document filed *pro se* is ‘to be liberally construed’”); Local Rules W.D. Wash. LCR
6 7(h) (setting forth the standard for evaluating a motion for reconsideration). Having
7 considered the motion, the relevant portions of the record, and the governing law, the
8 court DENIES Mr. Freeze’s second motion for reconsideration.

9 As he did in his first motion for reconsideration, Mr. Freeze asserts that the court’s
10 order dismissing his claims against the Skagit Defendants and the Trust Defendants
11 should be vacated “due to the presence of fraud upon the court committed by the
12 opposing party and the undeniable bias exhibited by this court.” (Mot. at 2.) Mr. Freeze
13 contends that after the court issued its May 23, 2023 order, he learned that the Skagit
14 Defendants’ attorney, Erik Pedersen, entered an appearance representing Skagit County
15 and its officials in *Hart v. Perkins*, No. C23-0404RSL (W.D. Wash.), a case in which Mr.
16 Pedersen is a defendant. (*Id.*) He again argues, as he has in multiple filings in this case,
17 that Mr. Pedersen is not authorized to represent his clients and has, as a result,
18 “knowingly and intentionally engaged in fraudulent conduct that deceived this Court, and
19 the plaintiff, thereby compromising the fairness of the proceedings.” (*Id.* at 2-3.) He also
20 contends that Mr. Pedersen is violating the Washington Rules of Professional Conduct
21 and multiple state and federal statutes by continuing to represent the Skagit Defendants in
22 this case and in *Hart*. (*Id.* at 3-7.) Finally, he argues that this court is biased against him

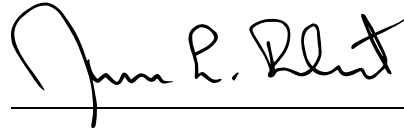
1 because it has “failed to notify the proper authorities” of the crimes he described in the
2 “unrebutted affidavits” he attached to his complaint. (*Id.* at 7-8; *see* Am. Compl. (Dkt.
3 # 3), Exs. 10-12 (“Affidavits”).)

4 “Motions for reconsideration are disfavored,” and the court “will ordinarily deny
5 such motions in the absence of a showing of manifest error in the prior ruling or a
6 showing of new facts or legal authority which could not have been brought to its attention
7 earlier with reasonable diligence.” Local Rules W.D. Wash. LCR 7(h)(1).

8 “Reconsideration is an extraordinary remedy,” and the moving party bears a “heavy
9 burden.” *Kona Enters., Inc. v. Est. of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000). The
10 court again concludes that Mr. Freeze has not met his burden to demonstrate that the
11 court’s prior orders should be reconsidered. The court has repeatedly rejected Mr.
12 Freeze’s arguments that Mr. Pedersen is committing a fraud upon the court and should be
13 disqualified from representing the Skagit Defendants. (*See, e.g.*, 6/14/23 Order; 5/23/23
14 Order; 4/27/23 Order (Dkt. # 17).) The fact that Mr. Pedersen is representing the Skagit
15 Defendants in another case does not change the court’s analysis. In addition, the court
16 has already made clear that the supposed failure of the Skagit Defendants and the Trust
17 Defendants to respond to the affidavits Mr. Freeze sent them has no legal significance.
18 (5/23/23 Order at 12-13.) Mr. Freeze has not made any showing of manifest error in the
19 court’s prior rulings, nor has he identified new facts or legal authority which would
20 change the court’s conclusions in its May 23, 2023 order dismissing his claims against
21 the Skagit Defendants and the Trust Defendants or its June 14, 2023 order denying his
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1 first motion for reconsideration. (*See generally* Mot.) Therefore, the court DENIES Mr.
2 Freeze's second motion for reconsideration (Dkt. # 35).

3 Dated this 16th day of June, 2023.

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6 JAMES L. ROBART
7 United States District Judge
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